

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

LEONA VICTORS (EMENYONU), et

al.

Plaintiffs,

v.

WENDY A. KRONMILLER, et al.

Defendants

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
Civil No.: JFM-07-02282

DEC 19 2007

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BY

DEFENDANTS' MOTION TO DISQUALIFY AND REMOVE PLAINTIFFS COUNSEL
AGAINST DEFENDANT JAMES F. CROSSON

James F. Crosson (Defendant) moves to disqualify and remove
Plaintiffs Counsel, Michael R. Carithers, Jr. and the firm Brown
& Sheehan, LLP.

I. According to the web site for Brown & Sheehan, LLP, David
M. Sheehan, is a founding member and active partner of the
firm Brown & Sheehan, LLP, and Michael R. Carithers, Jr.
is of counsel for the firm Brown & Sheehan, LLP which
represents Plaintiffs Leona Victors (Emenyonu), et al.

II. Mr. Sheehan worked for the law firm Venable, LLP prior to
forming the firm of Brown & Sheehan, LLP in January of
2004.

III. In the year 2000, Mr. Sheehan worked for Venable, LLP and
had an office in the Hopkins Plaza Building off North
Charles Street.

1 IV. In 2006, Brown & Sheehan, LLP formed an "ALLIANCE" with
2 Venable, LLP and according to the attached literature from
3 their web site, continue that relationship today.

4 V. Defendant Crosson just became aware of this information
5 upon seeing the Brown & Sheehan logo on the envelope
6 containing PLAINTIFFS' MOTION TO STRIKE ANSWER OF
7 DEFENDANT CROSSON, RESPONSE TO MOTION TO DISMISS OF
8 DEFENDANT CROSSON AND REQUEST FOR ATTORNEY'S FEES.

9 VI. Upon seeing the name Sheehan, Defendant, Crosson looked up
10 the web site for Brown & Sheehan, LLP and recognized David
11 M. Sheehan from his picture.

12 VII. David M. Sheehan, an acting and founding partner of
13 Plaintiffs' counsel, represented Defendant, Crosson in the
14 3rd quarter of 2000.

15 VIII. During the 3rd quarter of 2000, Defendant Crosson
16 contacted David M. Sheehan to represent Defendant Crosson
17 and his businesses, which had a dispute with The State of
18 Maryland, Department of Health and Mental Hygiene, Mental
19 Hygiene Administration and Maryland Health Partners.

20 IX. In the 3rd quarter of 2000, while working at Venable, LLP,
21 David M. Sheehan, agreed to represent Defendant, Crosson
22 and Defendants Company, The Corner Clinic, Incorporated in
23 writing and accepted a retainer from Defendant Crosson.

24 X. Defendant Crosson, and in-house counsel for Defendants'
25 businesses, Eric M. Newman, Esq., met with David M.
26 Sheehan, Counsel for Plaintiff Leona Victors (Emenyonu),
27 in his office on more than one occasion, and corresponded
28 via telephone, mail and email during the 3rd quarter of
29 2000.

XI. Defendant Crosson shared privileged and confidential information and documents which were of a personal, business, and financial nature, with David M. Sheehan. Defendant Crosson provided information about businesses he owned at the time in order to develop strategies to resolve the dispute.

XII. During the time that Plaintiffs counsel, David M. Sheehan, represented Defendant Crosson, in the 3rd quarter of 2000, Home Care, Inc., a Plaintiff in this case, and 25543 Hill Road, LLC was owned by Defendant Crosson.

XIII. The Plaintiffs' claims in this case against Defendant Crosson, Count Five, Breach of Contract, Count Six, Breach of Implied Covenant of Good Faith and Fair Dealings, and Count Seven, Tortious Intentional Interference with Perspective Advantage, all stem from Defendant Crossons' sale of stock of Home Care, Inc. and sale of membership in 25543 Hill Road, LLC to Plaintiff, which Defendant Crosson owned in the 3rd quarter of 2000 when Plaintiffs counsel, David M. Sheehan represented Defendant Crosson.

XIV. In the 3rd quarter of 2000, during the time that the Plaintiffs counsel represented Defendant, Crosson, Home Care, Inc., a Plaintiff in this case, during the time that Plaintiffs Counsel, David M. Sheehan represented Defendant, James F. Crosson, in the 3rd quarter of 2000.

For all these reasons, Defendant, James F. Crosson: A. requests the Court dismiss the plaintiff's counsel, Brown & Sheehan, LLP, in this complaint against him; and B. for such other relief as is appropriate.

1 Respectfully Submitted,

2 **JAMES F. CROSSON,**
3 **DEFENDANT**

4 /s/

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6 Defendant
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Law Firms Brown & Sheehan and Venable Form Strategic Alliance

Alliance struck between rising minority-owned firm and established AmLaw 100 firm represents new approach to help law firms increase diversity, share mutual business.

Washington, DC/Baltimore, MD (January 4, 2006) – As part of an ongoing commitment to promote diversity efforts in the legal community, **Brown & Sheehan, LLP**, the largest Minority Business Enterprise law firm in Maryland, and **Venable LLP**, an *AmLaw* 100 law firm, have forged a strategic alliance to further provide clients with a diverse pool of legal professionals and high-quality legal services, as well as to reinforce ties within the region.

The new, shared business platform is one of only a few such alliances in the legal industry and the largest in the Mid-Atlantic. Brown & Sheehan and Venable will maintain their separate identities and independence, but will also work as co-counsel on specifically identified litigation, labor and employment, public finance, business transactions, and real estate matters.

Brown & Sheehan, which was established in 2004, and continues the seven year practice of a prior firm formed in 1997, is a respected minority-owned firm that has quickly made its mark in the Maryland Bar. The alliance is designed to assist both firms in meeting designated client service needs, while providing quality legal work. Washington-based Venable, which is also one of the oldest and largest firms in Baltimore, has long been a leader in its commitment to diversity, building a diverse group of attorneys and staff who reflect not only the diversity of the communities in which they practice but also the clients they serve.

The goal of the alliance is to provide a broad range of clients with the highest quality of service from lawyers with diverse backgrounds.

"Minorities in the legal profession have traditionally been faced with two options: join a large law firm and risk becoming marginalized or join a smaller minority-owned firm and risk missing out on major career opportunities and the chance to work on substantive matters," said **Michael A. Brown**, name partner at Brown & Sheehan. "Our new alliance gives our associates the best of both worlds."

"As a firm, we have long aspired to the highest standards of diversity," said Venable's Managing Partner **James L. Shea**. "We know Brown & Sheehan and feel that our new alliance will be able to better service the needs of our clients."

The arrangement also provides the 460-attorney Venable, which has offices in Maryland, Virginia and New York, the benefit of Brown & Sheehan's wealth of legal experience, particularly in the public finance and litigation areas. The alliance, in turn, provides the 13-attorney Brown & Sheehan access, on specific designated

matters, to Venable's national practice, legal resources and strategic business units, including government contracts, healthcare, homeland security and legislative affairs.

"This alliance gives our firm the luxury of working on larger and higher-profile matters that we would not normally attract because of our size, and at the same time provides Venable access to work and perspective it would not normally receive," said **David M. Sheehan**, founding partner of Brown & Sheehan. "Venable's broader practice allows us to take on larger pieces of work from clients. And our experience with the City of Baltimore and State of Maryland will serve to further strengthen Venable's links in the region."

"In a very short time, Brown & Sheehan has proven to be a rising star of the Maryland legal community," said **Robert A. Shelton**, one of the Venable partners serving as co-head of the alliance. "When we considered the idea of a strategic alliance, we felt that we needed a strong firm with which we can work to provide an excellent level of legal services. Brown & Sheehan fits the bill."

Brown & Sheehan brings four partners, eight associates and one of counsel member to the Alliance. Although officially founded in early 2004, the firm can trace its roots back to 1996, when Mr. Brown started his own practice. The firm boasts former assistant attorney generals for the State of Maryland, solicitors for the City of Baltimore and law clerks for local and state courts on staff. Partner **Martin F. Cadogan** serves as campaign treasurer for Baltimore Mayor Martin O'Malley. Mr. Brown chaired Mayor O'Malley's Transition Team for Public Safety.

"We are already working together to introduce the alliance to our clients and anticipate the alliance will bring new business to both of our firms," said **Vicki Margolis**, the chair of Venable's Patent Litigation Group, who is also one of the co-heads of the alliance.

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Brown & Sheehan, LLP serves business, institutional, and government clients with attorneys of diverse legal backgrounds and experience. The firm is the largest certified Minority Business Enterprise law firm in Maryland, serving clients locally, regionally and nationally. The firm handles a range of legal needs with aggressive litigators, experienced transactional attorneys, well-grounded business lawyers, and bond counsel. For more information, visit www.brownsheehan.com.

As one of The American Lawyer's top 100 law firms, **Venable LLP** has lawyers practicing in all areas of corporate and business law, complex litigation, intellectual property and government affairs. Venable serves corporate, institutional, governmental, nonprofit and individual clients throughout the U.S. and around the world from its headquarters in Washington, D.C. and offices in Maryland, New York and Virginia. For more, visit www.venable.com.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of November, 2007, copies of DEFENDANTS' MOTION TO DISQUALIFY AND REMOVE PLAINTIFFS COUNSEL AGAINST DEFENDANT JAMES F. CROSSON was filed with the Clerk of the Court and served via first class mail postage prepaid to the following:

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16 /s/

17 James F. Crosson,
18 Defendant